

Unified Program Newsletter – September 2021

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CalEPA

CERS Knowledge Base, Help Articles and FAQs

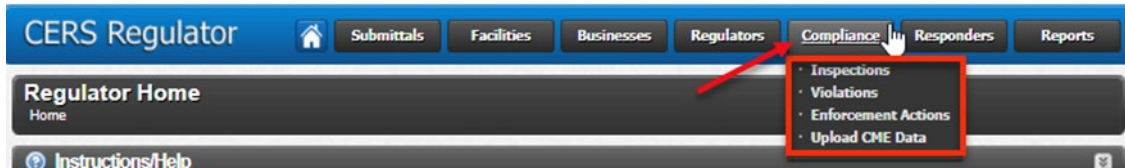
(<https://cers.calepa.ca.gov/newsletter-articles>)

Compliance, Monitoring, and Enforcement (CME) Training & Reports

Below is an overview of the Compliance, Monitoring, and Enforcement (CME) data entry, data upload, upload common issues and reporting processes in CERS Regulator Portal.

1. Open your web browser and navigate to the [CERS Central Home page](https://cers.calepa.ca.gov/)
(<https://cers.calepa.ca.gov/>)
2. Select the (blue) “**Regulator Portal Sign In**” button.
3. Sign in to the CERS Regulator portal by entering your **CERS Regulator** account
username and password.

4. At the **Regulator Home** page, hover over the “**Compliance**” tab, 4 options are available for selection. This module enables regulator to add, update, and delete Inspections, Violations, and Enforcements for their regulated facilities via user interface forms or bulk CME data upload.



Inspection Search

5. At the “**Compliance**” tab, select the “**Inspections**” option. The “**Inspection Search**” page allows users to:
- Search** for Inspection using several different filters such as **Program Elements, CERS ID, EPA ID, Facility ID, Facility Name, Date Range, RTS Date Status, Data Status** and the **Type** of Inspection (**Routine** or **Other**).
 - Create Inspection**
 - Export to Excel** of search results

A screenshot of the 'Inspection Search' page. The page has a header with 'Inspection Search' and a breadcrumb 'Home > Inspection Search'. Below the header is a warning message: 'Your account has Unified Program Editor security privileges, and can create/edit CME data on behalf of any Regulator. Proceed with caution.' The main section contains various filters: Regulator (Alpine County Health Department), Program Element, CERS ID (10474033), EPA ID, Facility ID, Facility Name, Date Range, RTC Date Status (All), Data Status, and Type (Routine/Other). A 'Search' button is highlighted with a red box. Below the filters is a table with 5 columns: Date, Program, Type, # Viols, RTC Date, CERS ID, Facility Name, and Status. The table contains 5 rows of data. A 'Create Inspection' button is highlighted with a red box. At the bottom right, an 'Export To Excel' button is highlighted with a red box. The page footer shows '1 - 5 of 5 items'.

Violation Search

6. At the “**Compliance**” tab, select the “**Violation**” option. The “**Violation Search**” page allows users to:
 - A. **Search** for Violations using several different filters such as **Program Element, CERS ID, EPA ID, Facility ID, Facility Name, Date Range, Data Status, Type #, and Class.**
 - B. **Export to Excel** of search results

The screenshot displays the 'Violation Search' web application. At the top, there's a navigation bar with 'Home' and 'Violation Search'. A warning message states: 'Your account has Unified Program Editor security privileges, and can create/edit CME data on behalf of any Regulator. Proceed with caution.' Below this, search filters include: Regulator ID (Alpine County Health Department), Program Element, CERS ID (10477480), EPA ID, Facility ID, Facility Name, Date Range, Data Status, Type #, and Class. A 'Search' button is highlighted with a red box. The results table has columns: Violation Date, Class, Type #, Inspected On, CERS ID, Facility, Actual RTC, and RTC Qualifier. Seven results are shown, all for 'Vehicle Maintenance Hazardous Materials Storage' at CERS ID 10477480. An 'Export To Excel' button is highlighted with a red box at the bottom right of the table. A pagination bar at the bottom shows '1 - 7 of 7 items'.

	Violation Date	Class	Type #	Inspected On	CERS ID	Facility	Actual RTC	RTC Qualifier
Select	6/23/2018	Class 1	1010	6/23/2018	10477480	Vehicle Maintenance Hazardous Materials Storage		
Select	6/23/2018	Minor	1010004	6/23/2018	10477480	Vehicle Maintenance Hazardous Materials Storage	7/30/2018	Documented
Select	6/23/2018	Minor	1010005	6/23/2018	10477480	Vehicle Maintenance Hazardous Materials Storage	7/30/2018	Documented
Select	6/23/2018	Minor	1010008	6/23/2018	10477480	Vehicle Maintenance Hazardous Materials Storage	7/30/2018	Documented
Select	6/23/2018	Minor	3010010	6/23/2018	10477480	Vehicle Maintenance Hazardous Materials Storage	6/30/2018	Documented
Select	6/23/2018	Minor	3010025	6/23/2018	10477480	Vehicle Maintenance Hazardous Materials Storage		
Select	6/23/2018	Minor	3030029	6/23/2018	10477480	Vehicle Maintenance Hazardous Materials Storage	6/23/2018	Documented

Enforcement Action Search

7. At the “**Compliance**” tab, select the “**Enforcement Action**” option. The “**Enforcement Action Search**” page allows users to:
 - A. **Search** for Enforcements using several different filters such as **Type, CERS ID, EPA ID, Facility ID, Facility Name, Date Range, Data Status, and Formal Type.**
 - B. **Create Enforcement**
 - C. **Export to Excel**

Enforcement Action Search
Home » Enforcement Action Search

Your account has **Unified Program Editor** security privileges, and can create/edit CME data on behalf of any Regulator. Proceed with caution.

Regulator: Data Status:
 Type: Formal Type:
 CERS ID: EPA ID: Facility ID:
 Facility Name: Date Range: to

Select	Date	# Violation	Type	Formal Type	CERS ID	Facility Name
<input type="button" value="Select"/>	2/16/2021	0	Notice of Violation (NOV) Only		10477480	Vehicle Maintenance Hazardous Materials Storage

1 - 1 of 1 items

Creating an Inspection

8. To create inspection(s), at the “**Compliance**” tab, select “**Inspections**” option, then select the “**Create Inspection**” button.
9. Using the filter options, input a **CERS ID** to create an inspection, select the “**Search**” button, then select the blue **CERS ID** in the search results.
10. At the “**Create Inspection**” page, check the box in the “**Program Element**” section. This will allow multiple inspections created for multiple programs simultaneously. Input inspection comments then select the “**Save**” button.

Create Inspection: Caltrans-Caples Lake (CERS ID: 10000933)

General Inspection Information

Inspection Date: Regulator:
 Type: ☒ Routine ☐ Other Data Entry Status:

Inspected Program(s)

Program Element	Last Inspection	Last Submitted	Regulating UPA (*)
<input checked="" type="checkbox"/> Hazardous Materials Release Response Plans (HMRRP) Inspection Comments: <input type="text"/>	12/4/2021	2/19/2019	Alpine
<input type="checkbox"/> California Accidental Release Prevention (CalARP)			Alpine
<input checked="" type="checkbox"/> Underground Storage Tank (UST) Inspection Comments: <input type="text"/>	7/16/2021		Alpine
<input type="checkbox"/> Aboveground Petroleum Storage Act (APSA)	2/16/2021	6/13/2016	Alpine

Creating a Violation

11. Upon saving the Inspection, the next page will allow violations to be added for the programs inspected. Select the **“Create HMRRP Violation”** or **“Create UST Violation”** button.

Create Inspection: Add Violation(s)

CERSID 10000933 Facility Name Caltrans-Caples Lake

Hazardous Materials Release Response Plans (HMRRP) Inspection (7/16/2021)

Occurred On	Type	Class	Actual RTC	Violation Comment	Commands
-------------	------	-------	------------	-------------------	----------

Underground Storage Tank (UST) Inspection (7/16/2021)

Occurred On	Type	Class	Actual RTC	Violation Comment	Commands
-------------	------	-------	------------	-------------------	----------

12. At the **“Create Violation: Search/Select Violation”** page, select an appropriate **Violation Type Number** for the program Inspected. Please note, the list is filtered by the Inspection Program Type (i.e., only UST violation types will be displayed for UST inspections). **“Type #1010 (General)”** can be used ONLY when all other types are not applicable. Select **“Type #1010”** for this demonstration.

Create Violation: Search/Select Violation

Home » Facility » Inspection » Violation » Create

Search Violation Library Definitions

Violation Program Business Plan Program

Violation Keywords

Violation Type Number

Search

Search the Violation Library for the type of violation you want to add. Click the Violation Type # in the search results to create a Violation using that Violation Type.

Drag a column header and drop it here to group by that column

Type #	Name	Category	Description	Begin Date	End Date
1010	General	Administration/Documentation	Business Plan Program - Administration/Documentation - General	7/1/2011	12/31/2099
1010001	Hazardous Materials Business Plan Implementation	Administration/Documentation	Failure to adequately establish and implement a business plan when storing/handling a hazardous material at or above reportable quantities.	7/1/2014	12/31/2099
1010002	Hazardous Materials Business Plan Submittal	Administration/Documentation	Failure to complete and electronically submit a business plan when storing/handling a hazardous material at or above reportable quantities.	6/1/2016	9/30/2020
1010003	Business Activities Page and/or Business Owner/Operator Identification Page	Administration/Documentation	Failure to complete and electronically submit the Business Activities Page and/or Business Owner Operator Identification Page.	11/1/2017	9/30/2020
1010004	Hazardous materials inventory	Administration/Documentation	Failure to complete and electronically submit hazardous material inventory information for all reportable hazardous materials on site at or above	7/1/2014	9/30/2020

13. At the **“Create Violation”** form, **“Violation Details”** section, use the dropdown to select Violation **Class**, input a **Scheduled RTC Date**, **Actual RTC Qualifier**, **Actual RTC Date** and **Comment**. Comments must describe the violation including citations when using General Violation Type #. Select the **“Save”** button.

Create Violation

Save + Create Copy Save + Add Another Save Cancel

Inspection Details

Facility Vehicle Maintenance Hazardous Materials Storage
Date 6/23/2018
Program Hazardous Materials Release Response Plans (HMRRP)
Type Routine
Data Status Approved

Violation Type Definition

Type Number 1010
Name General
Citations 19 CCR 4 Multiple; HSC 6.95 Multiple
Program Business Plan Program
Category Administration/Documentation
UST Performance Measure -

Violation Description

Business Plan Program - Administration/Documentation - General

Violation Details

Class
Violation Date 6/23/2018 Actual RTC Qualifier
Scheduled RTC Date Actual RTC Date
Comment

Linked Enforcement Actions

Occurred On	Type of Enforcement Action	Type of Formal Enforcement Action	# Violations	Comments
-------------	----------------------------	-----------------------------------	--------------	----------

Save + Create Copy Save + Add Another **Save** Cancel

Creating an Enforcement Action

14. Once a violation is created, an **Enforcement** action can be created and linked to the violation. At the **Home** page, hover over the “**Compliance**” tab, then select “**Violations**” option. Input the **CERS ID** to begin the search. **Select** the Violation. Then select the “**Create Enforcement for this Violation.**”

Violation Summary

Create Enforcement for this Violation Create Copy for this Inspection Edit Cancel

Inspection Details

Facility Vehicle Maintenance Hazardous Materials Storage
Date 6/23/2018
Program Hazardous Materials Release Response Plans (HMRRP)
Type Routine
Data Status Approved

Violation Type Definition

Type Number 1010
Name General
Citations 19 CCR 4 Multiple; HSC 6.95 Multiple
Program Business Plan Program
Category Administration/Documentation
UST Performance Measure -

Violation Description

Business Plan Program - Administration/Documentation - General

Violation Details

Class Class 1
Violation Date 6/23/2018 Actual RTC Qualifier - Comment -
Scheduled RTC Date 2/16/2021 Actual RTC Date -

Linked Enforcement Actions

Occurred On	Type of Enforcement Action	Type of Formal Enforcement Action	# Violations	Comments
-------------	----------------------------	-----------------------------------	--------------	----------

Created By: John Miller on 2/16/2021 10:52 AM
Last Updated By: John Miller on 2/16/2021 10:52 AM

Create Enforcement for this Violation Create Copy for this Inspection Edit Cancel

15. At the Create Enforcement Action page, input information as necessary, then click the **“Save”** button. Select the **“Add Violation”** button to select the **Violations** for linking. Click the **“Save”** button to complete the action.

Create Enforcement Action: Vehicle Maintenance Hazardous Materials Storage (CER...
Home » Facility » Enforcement Actions » Create

Create Enforcement Action: Vehicle Maintenance Hazardous Materials Storage (CER...

Save Cancel

Enforcement Action Details

Date: 2/16/2021
Regulator ID: Alpine County Health Department
Type: Notice of Violation (NOV) Only
Formal Type: ☐ Administrative ☐ Civil ☐ Criminal ☐ Civil/Criminal
Docket Number:
Comments:
Data Entry Status: Approved
Date Referred Case Settled/Dropped:
Final Fine/Penalty Assessed: \$
Supplemental Environmental Projects Value: \$
Red Tag Issued: ☐

Save Cancel

Uploading CME Data

16. Top menu bar, **“Compliance”** tab and **“CME Upload Data”** feature enables users to perform bulk add, update, and delete operations for CME data.

CERS Regulator Home Submittals Facilities Businesses Regulators **Compliance** Responders

Facility: Caltrans-Caples Lake (CERSID: 10000933)
Home » Facility Search » Facility Summary: 10000933 » Compliance

Summary
Submittals
Reporting
Requirements
Compliance

Compliance

View Compliance Records

- View Inspections
- View Enforcement Actions
- View Violations

Create Compliance Records

- Create Inspection
- Create Enforcement Action

Inspections
Violations
Enforcement Actions
Upload CME Data

17. The CME Upload requires a strictly formatted Excel template, provided on the CME Upload page (see the CME Data Upload Template link below). The spreadsheet uploaded must conform to structure of the template, should conform to the business rules defined in the CERS Business Rules document (see step 19), and should not include any additional formatting of data, special characters, control characters, etc., as these may cause errors in processing of the file. Please refer to the instructions provided on page for additional information/guidance. This page also enables users to search for previous CME upload results by regulator.

The screenshot shows a web application interface for uploading CME data. At the top, a dark header bar contains the text "Upload CME* Data (Inspections, Violations, Enforcement Actions)" and a breadcrumb trail: "Home » Compliance » Upload CME Data". Below this, the page is divided into two main sections. The left section, titled "Instructions/Help", contains detailed text about the upload process, including a link to the "CME Data Upload Template" and a link to "CERS EDIT Services". The right section, titled "Upload CME Data", features a "Choose File" button (highlighted with a red box) and an "Upload CME Data" button (also highlighted with a red box). Below these sections is a "CME Data Upload History" section. It includes a search bar with a dropdown menu for "Regulator" (set to "California Environmental Protection Agency (Unified Program)") and a "Status" dropdown (set to "All Status"). A "Search" button is highlighted with a red box. Below the search bar is a table with columns: "CME Data Upload ID", "Uploaded By", "Processed On", "Status", "# Inspections", "# Violations", "# Enforcements", and "# Enf Vios". The table shows "Page 0 of 0" and "10 items per page".

18. Below is a sample of the “**CME Data Upload History**”, the history provides information such as:
- **CME Data Upload ID (CERS ID)**
 - **Uploaded By**
 - **Processed On**
 - **Status**
 - **# Inspections**
 - **# Violations**
 - **# Enforcements**
 - **# Enforcement Violations**

CME Data Upload History							
The grid below displays all CME Data Upload attempts containing CME Data Entities (Inspections, Violations, Enforcements, and/or Enforcement Violations) linked to one or more Regulators associated with your CERS user account.							
Search CME Data Upload History							
Regulator <input type="text" value="San Francisco City & County Public Health Department"/>				Status <input type="text" value="All Status"/>		<input type="button" value="Search"/>	
CME Data Upload ID	Uploaded By	Processed On	Status	# Inspections	# Violations	# Enforcements	# Enf Vios
1338167	Paula Stewart	3/1/2019 3:41:16 PM	Accepted	0	359	0	0
1338166	Paula Stewart	3/1/2019 3:36:21 PM	Rejected	0	0	0	0
1338095	Paula Stewart	3/1/2019 11:03:05 AM	Rejected	0	0	0	0
1337968	Paula Stewart	3/1/2019 8:27:49 AM	Accepted	335	0	0	0

19. **CME Data Upload** Template, Version 1.01 can be used to upload Inspection, Violation, and Enforcement data (CME) into CERS. Please note the uploaded data must exactly follow the format in this template as well as the following CME EDT Submittal business rules described in the “[CERS Business Rules](#)” document (<https://cers.calepa.ca.gov/wp-content/uploads/sites/11/2017/11/cersbusinessrules.pdf>).

CERS CME Data Upload Template, Version 1.01

Inspection/Violation/Enforcement Data

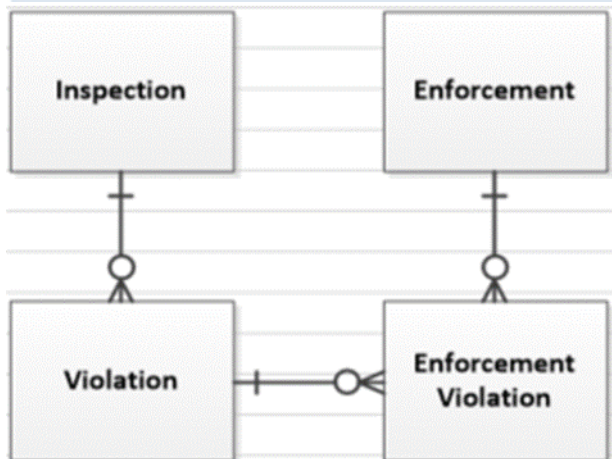
This Excel template can be used to upload Inspection, Violation, and Enforcement data (CME*) into CERS. The uploaded data must exactly follow the format in this template, as well as follow the CME EDT Submittal business rules described in "CERS Business Rules" document available at the following URL:

<http://cers.calepa.ca.gov/documents/EDT/CERSBusinessRules.pdf>

Uploads must include records on at least one worksheet in this template, and must include data for all required fields for that worksheet (columns with a green header and an asterisk by the column label). All columns must be included for a worksheet in the exact order and naming as shown in this worksheet.

Please note that all CME-related regulator keys MUST be unique for EACH record to allow later editing transactions of that record. (InspectionRegulatorKey, ViolationRegulatorKey, EnforcementRegulatorKey, EnforcementViolationRegulatorKey)

*CME is a US EPA acronym for Compliance, Monitoring, and Enforcement



4

5

Instructions

Inspection

Violation

Enforcement

EnforcementViolation

Codes

+

InspectionRegulatorKey

1a*	20.0045*	905*
CERSID	InspectionRegulatorKey	ProgramElement

EnforcementRegulatorKey

A	B	C
1a*	20.0047*	913b
CERSID	EnforcementRegulatorKey	RedTagIssued

ViolationRegulatorKey

20.0045*	20.0046*	990*
InspectionRegulatorKey	ViolationRegulatorKey	TypeID

EnforcementViolationRegulatorKey

A	B	C
20.0047*	20.0046*	20.0048*
EnforcementRegulatorKey	ViolationRegulatorKey	EnforcementViolationRegulatorKey

21.CME Data Upload Common Issues:

Although any unique alphanumeric string is allowable, a Universally Unique Identifier (UUID) is encouraged. It is extremely important to avoid duplicating Regulator Keys, as this will cause problems when trying to update records later. It is very important not to add any additional formatting or special characters to file, as this may cause errors processing file. Be sure that all data submitted conforms to CERS Business Rules (see CERS Business Rules document available on CERS Central). Errors and warning messages will be displayed if there are errors in the file. Note: The entire file will be rejected if any errors exist in the file.

CERS Regulator | Submittals | Facilities | Businesses | Regulators | Compliance | Responders | Reports

Upload CME* Data (Inspections, Violations, Enforcement Actions)

Home » Compliance » Upload CME Data

Instructions/Help

Electronic Data Processing Results		# Records Inserted/Updated	
CME Data Upload ID:	56773	# Inspections:	0
Transaction Status:	Rejected	# Violations:	0
Date/Time Processed:	5/21/2020 12:54:49 PM	# Enforcements:	0
		# Enforcement Violations:	0

Problems or warning were generated when processing your uploaded CME data. Only the first 25 problems or warnings are shown below:

Level	Message
Required	ViolationRegulatorKey "12356": No matching record found for InspectionRegulatorKey "12356" for Regulator "Kern County Environmental Health Services Department".

Upload CME Data
CME Data Spreadsheet
Choose File | No file chosen
Upload CME Data

Staging

CME Data Download

22. For **CME Data Download**, at the **Regulator Home** page, select the **Reports** tab. In the **General Reports** section, select the **CME Data Download** link to download Compliance, Monitoring, and Enforcement information include RCRA Large Quantity Generator facilities.

CERS Regulator | Submittals | Facilities | Businesses | Regulators | Compliance | Responders | **Reports**

Reports

Home » Reports

Instructions/Help

If you have an idea/suggestion for a report, please review the proposed/scheduled [CERS Enhancements Listing](#). If you don't see it there, click the CERS Enhancement Request Submit button on that page to offer your suggestion to the CERS change management governance process.

General Reports

Regulator Reports

- [Unified Program Local Reporting Requirements Listing](#)
View/search/download local reporting requirements for all CUPAs statewide.
- [CUPA Electronic Reporting Status](#)
This report summarizes by CUPA the count of facilities in CERS and how many have reported on various submittal elements during a specified time period. CUPAs and Cal/EPA can use this report to evaluate CUPA progress toward meeting the electronic reporting mandates.
- [Regional Inventory Materials Search](#)
This report allows UPAs to search for specific materials in the last submitted inventories for all facilities in the user's CUPAs (or statewide for statewide viewers/regulators).

New Facilities Added To CERS
View/search/download Facilities added to CERS within the last 30 days, or custom date range.

Facility Reporting Status
View the Reporting Requirements for all facilities in the selected CUPA, and search for facilities that have not reported to CERS since a specified date.

CME Data Download
Download Compliance, Monitoring, and Enforcement information including RCRA Large Quantity Generator facilities.

Report: CME Data Download
Home » Reports » CME Data Download

Instructions/Help
This report generates an Excel file download CME (Inspection, Violation, Enforcement) data including RCRA Large Quantity Generator facilities.

Report: CME Data Download

Regulator: -- All Regulators --
Program Element: -- Please Select Program Element --
Inspection/Enforcement Date Range: [] to []
CERS ID: []
Only Include Current Facility Reported as RCRA Large Quantity Generator: ☐
Generate Excel Report

23. For **UST CME Data Download**, in the same **Reports** page scroll down to the **UST Program Reports** section and select the **UST CME Data Download** link to generate an Excel file containing UST Inspection, Violation, and Enforcement Data.

The image shows two screenshots from the Unified Program website. The top screenshot is the 'UST Program Reports' page, which lists various report categories. A red arrow points to the 'UST CME Data Download' link under the 'UST Data Download' section. The bottom screenshot is the 'UST Program Report: CME Data Download' form. It includes a breadcrumb trail (Home > Reports > UST Program > CME Data Download), an 'Instructions/Help' link, and a description of the report. The form has fields for 'Regulator' (set to 'All Regulators'), 'Inspection/Enforcement Date Range' (with calendar icons), 'CERS ID', and a 'Generate Excel Report' button. A checkbox for 'Convert Codes to Display Values' is checked.

UST Program Reports

Compliance, Monitoring, and Enforcement Reports

[Inspection Summary Report by Regulator \(Report 6\)](#)
Counts of regulated UST facilities, active and closed UST systems, inspections, and SOC statistics.

[Enforcement Summary Report by Regulator \(Annual\)](#)
Counts of Violations by Class, Enforcements by Enforcement Type, and Fines/Penalties.

[Red Tag Facility Details Report](#)
List Red Tags affixed during a specified date range.

[UST Routine Inspection Frequency Search](#)
Provides an Excel table identifying the date of the most recent Routine UST Inspection performed with a text field for comment/explanation. This report is for the UPA to comply with the annual Energy Policy Act of 2005 reporting requirement due to the State Water Board each January 31st.

Facility / Tank / Monitoring Summary Reports

[BOE Facility/Owner Search Tool](#)
Provides a tool to search for UST facilities by BOE Number, facility site address, and UST Property Owner and UST Tank Owner information.

UST Data Download

[UST Facility/Tank Data Download](#)
Generates an Excel file containing UST Facility / Tank data that has been "Accepted" by Regulators.

[UST CME Data Download](#)
Generates an Excel file containing UST Inspection, Violation, and Enforcement data.

UST Program Report: CME Data Download

Home > Reports > UST Program > CME Data Download

[Instructions/Help](#)

This report generates an Excel file containing UST CME (Inspection, Violation, Enforcement) data. Please note, this report compiles "Accepted" UST data from ~94% of California's regulated UST facilities (14,535 as reported by SWRCB, October 2011).

UST Program Report: CME Data Download

Regulator: -- All Regulators --

Inspection/Enforcement Date Range: [] to []

CERS ID: []

Convert Codes to Display Values ☒

[Generate Excel Report](#)

State Water Board

Rescinding of Health and Safety Restrictions

On July 30, 2021, the State Water Board sent correspondence through Lyris discussing the [rescinded COVID-19 health and safety restrictions](https://www.waterboards.ca.gov/water_issues/programs/ust/docs/covid_rescind_letter.pdf) and the process to assist underground storage tank (UST) owners and operators returning their facilities to compliance. While this now may seem premature with the recent spike of the COVID-19 delta variant, this too shall pass and the process of returning to compliance outlined by the document applies. Specifically, for those facilities that have properly documented delays caused by health and safety restrictions, Unified Program Agencies (UPAs) should assist in returning to compliance and continue to use their enforcement discretion to allow a reasonable opportunity to return to compliance.

For additional information regarding compliance requirements, contact:
Mr. Tom Henderson at (916) 319-9128 or Tom.Henderson@waterboards.ca.gov, or
Mr. Austin Lemire-Baeten at (916) 327-5612 or Austin.Lemire-Baeten@waterboards.ca.gov.

Red Tag Requirements

UPA or State Water Board staff may apply a red tag to the fill pipe of a noncompliant UST system if a significant violation poses an imminent threat to human health or safety or the environment. Applying a red tag prohibits product input into or withdrawal from the system until the owner demonstrates correction of the violation to the satisfaction of the applying agency. Further, UST Regulations outline significant violations as those that cause or threaten to cause a liquid release, impair the UST system from detecting or containing a liquid release, or are chronic or committed by recalcitrant violators. State Water Board staff are aware of situations where red tags have been applied to USTs for conditions that do not meet the threshold of red tag application. For example, the initial failure of a secondarily contained spill container during testing likely does not meet the threshold for red tag application.

Recalcitrant UST owners or operators with violations that do not reach the level of immediate red tag application should be provided with a notice of significant violation, requiring the UST owner or operator to resolve the violation within seven days. The agency applying the red tag can only remove the red tag once the violation has been resolved.

Red tag supplies are provided by the State Water Board upon request. Additional information regarding the red tag application process as well as tabulated red tag statistics from the Semi-Annual UST Program Report (Report 6) can be found on the [UST Red Tag Requirements and Guidance](https://www.waterboards.ca.gov/water_issues/programs/ust/enforcement/red_tag_regs_index.html) (https://www.waterboards.ca.gov/water_issues/programs/ust/enforcement/red_tag_regs_index.html) web site.

For additional information regarding red tag requirements, contact:
Mr. Tom Henderson at (916) 319-9128 or Tom.Henderson@waterboards.ca.gov, or
Mr. Austin Lemire-Baeten at (916) 327-5612 or Austin.Lemire-Baeten@waterboards.ca.gov.

Acceptable Devices and Methods for Testing Line Leak Detectors

California Code of Regulations title 23, division 3, chapter 16, (UST Regulations) section 2638(a) requires line leak detectors (LLDs) to be certified at least once every 12 months to ensure they can detect leak rates of three gallons per hour (gph) at 10 pounds per square inch (psi) within one hour (section 2636(f)(2)). While UST Regulations do not prescribe the methods used to test LLDs, it is essential that LLDs are tested correctly. Some manufacturers of LLDs may require the use of a specific type of LLD test apparatus, however many underground storage tank (UST) service technicians build their own test apparatus to perform LLD tests as these devices are relatively simple and can be constructed from off-the-shelf components. Service technicians should ensure their testing equipment is in proper operating order prior to testing.

Modern UST systems operate at pressures substantially greater than 10 psi, therefore the testing apparatus is used to perform a test that is equivalent to three gph at 10 psi. There are generally two methods of LLD testing utilized. The first method reduces the

operating line pressure to 10 psi to identify the three gph leak orifice prior to testing. The pressure reducer is removed allowing full operating line pressure and the test is performed. The second method identifies the operating line pressure but does not reduce the operating line pressure, instead utilizing a conversion chart identifying the volume equivalent of three gph at 10 psi. Both of these common LLD leak testing methods are described in detail in [PEI, Recommended Practices for the Testing and Verification of Spill, Overfill, Leak Detection and Secondary containment Equipment at UST Facilities](https://www.pei.org/news/petroleum-equipment-institute-updates-peirp-1200) (https://www.pei.org/news/petroleum-equipment-institute-updates-peirp-1200) (RP-1200).

For additional information regarding acceptable devices and methods for testing LLDs, contact:

Mr. Tom Henderson at (916) 319-9128 or Tom.Henderson@waterboards.ca.gov, or
Mr. Austin Lemire-Baeten at (916) 327-5612 or
Austin.Lemire-Baeten@waterboards.ca.gov.

DTSC

Nationwide Incinerator Backlog

Due to many contributing factors, there is a nationwide backlog at incinerators throughout the country. Many generators with hazardous wastes that require incineration are having difficulty manifesting their wastes offsite within their 90- or 180-day accumulation limit. DTSC has been experiencing an unprecedented amount of RCRA 30-day extension requests due to this bottleneck effect. DTSC has processed more than double the amount of extension requests in the last two months than in the previous fiscal year.

On August 10, 2021, the United States Environmental Protection Agency (US EPA) issued a memo stating that authorized States can grant second/multiple 30-day storage extension requests to generators impacted by the incinerator backlog. If generators choose to apply for second/multiple follow-up 30-day extensions, they will be required to provide documentation (i.e., emails, letters, etc.) showing they have made attempts to have their hazardous waste shipped offsite but were unable to do so due to the incinerator backlog. All RCRA 30-day storage extension applications will be evaluated on a case-by-case basis.

If generators in your jurisdiction have questions about submitting a RCRA 30-day accumulation extension, please refer them to DTSC's website to review submission guidelines and the [electronic extension application](https://dtsc.ca.gov/30-day-storage-extension-application/) (https://dtsc.ca.gov/30-day-storage-extension-application/). Additionally, generators should send questions and completed applications to 30dayextension@dtsc.ca.gov.

Regulatory Clarification Memo Regarding Conditionally Exempt Small Quantity Generators (CESQG) and Title 27

DTSC is preparing to publish a memorandum clarifying the regulations in Title 27, relating to inspection frequencies of hazardous waste generators, and how they apply to CESQGs – particularly “silver-only” generators. The memorandum is planned to be

released in the next CalEPA newsletter and DTSC will be organizing a virtual Q&A meeting for CUPAs to help answer any questions – date TBD. To facilitate the Q&A meeting, DTSC has set up an email inbox, UnifiedProgram@dtsc.ca.gov, to receive questions relating to the forthcoming memorandum and other questions relating to evaluations.

National Compliance Initiative on RCRA Air for RCRA LQGs and TSDFs

On August 23, 2021, US EPA's [National Enforcement Investigations Center](https://www.epa.gov/enforcement/national-enforcement-investigations-center-neic) (NEIC) (<https://www.epa.gov/enforcement/national-enforcement-investigations-center-neic>) hosted a RCRA Air Emissions training at the DTSC office in Berkeley, CA. The training was presented as part of EPA's National Compliance Initiative on RCRA Air Emissions at LQGs and TSDFs. The NEIC also conducted a RCRA Air Emissions Inspection that same week at a facility in San Mateo County with DTSC and CUPA staff shadowing the NEIC inspectors.

USEPA Enforcement Alert: Violations at Metal Recycling Facilities Cause Excess Emissions in Nearby Communities

USEPA released an [Enforcement Alert in July 2021](https://www.epa.gov/system/files/documents/2021-07/metalshredder-enfalert.pdf)

(<https://www.epa.gov/system/files/documents/2021-07/metalshredder-enfalert.pdf>), detailing EPA's efforts in investigating and identifying Clean Air Act violations at metal recycling facilities. This Alert is intended to inform metal recycling facility owners and operators about the Clean Air Act requirements that might apply at their facilities and the air pollution control systems that are in use for shredders at similar facilities. Specifically, shredder operators should be aware of the amount of volatile organic compounds (VOCs) and other emissions from their facilities and should contact their local regulatory or permitting authority for further guidance. Enforcement actions have assessed substantial penalties and have required the installation of emission control equipment. Examples of enforcement that has occurred in California include Schnitzer Steel in Oakland with \$4.1 million in penalties and corrective actions to install two regenerative thermal oxidizers and an acid control system by December 2022. CUPAs with metal shredders in their jurisdiction will find the information helpful and informative.

AB 332 Treated Wood Waste Bill

This bill essentially reinstates the alternative management standards for treated wood waste. The bill was approved on August 31, 2021, and goes into effect immediately. The amended statutes begin in Article 11.2 Management of Treated Wood Waste, section 25230 of Chapter 6.5 of Division 20 of the Health and Safety Code. More information on the bill can be found [online](https://leginfo.ca.gov/faces/billTextClient.xhtml?bill_id=202120220AB332)

(https://leginfo.ca.gov/faces/billTextClient.xhtml?bill_id=202120220AB332) by keyword searching AB 332.

EPA Comment Period

EPA is providing an opportunity for public comment before finalizing this memorandum, which provides guidance to EPA and state permit writers and inspectors for determining whether certain equipment and/or closure devices located on covers of hazardous

waste tanks, containers, and surface impoundments are regulated as equipment (subject to 40 CFR parts 264/265 subpart BB) or as a closure device (subject to 40 CFR parts 264/265 subpart CC).

The comment period will be open for 60 days, from **August 4, 2021 to October 3, 2021**. The memorandum is linked below:

[Open for Public Comment: Draft Memorandum “Applicability of Resource Conservation and Recovery Act \(RCRA\) Organic Air Emission Standards to Equipment and/or Closure Devices” | US EPA](https://www.epa.gov/hwpermitting/open-public-comment-draft-memorandum-applicability-resource-conservation-and-recovery) (<https://www.epa.gov/hwpermitting/open-public-comment-draft-memorandum-applicability-resource-conservation-and-recovery>). Written comments or questions on this RCRA air emissions guidance memorandum can be sent by email to RCRApost@epa.gov.

Cal FIRE OSFM

Revised CERS Help Materials for the Aboveground Petroleum Storage Act (APSA) Program

The following CERS help materials have been updated and are now posted on the [CAL FIRE-OSFM APSA website](https://osfm.fire.ca.gov/divisions/pipeline-safety-and-cupa/certified-unified-program-agency-cupa/aboveground-petroleum-storage-act/) (<https://osfm.fire.ca.gov/divisions/pipeline-safety-and-cupa/certified-unified-program-agency-cupa/aboveground-petroleum-storage-act/>).

- [Aboveground Petroleum Storage Tank Facility Statement Reporting Requirements](https://osfm.fire.ca.gov/divisions/pipeline-safety-and-cupa/certified-unified-program-agency-cupa/aboveground-petroleum-storage-act/aboveground-petroleum-storage-tank-facility-statement-reporting-requirements/) (<https://osfm.fire.ca.gov/divisions/pipeline-safety-and-cupa/certified-unified-program-agency-cupa/aboveground-petroleum-storage-act/aboveground-petroleum-storage-tank-facility-statement-reporting-requirements/>)
- [Is My Facility Regulated Under APSA?](https://osfm.fire.ca.gov/divisions/pipeline-safety-and-cupa/certified-unified-program-agency-cupa/aboveground-petroleum-storage-act/is-my-facility-regulated-under-aboveground-petroleum-storage-act-apsa/) (<https://osfm.fire.ca.gov/divisions/pipeline-safety-and-cupa/certified-unified-program-agency-cupa/aboveground-petroleum-storage-act/is-my-facility-regulated-under-aboveground-petroleum-storage-act-apsa/>)

If you have questions, contact OSFM staff at cupa@fire.ca.gov.

References or links to information cited in this newsletter are subject to change. CalEPA is interested in your comments and suggestions regarding the Unified Program monthly newsletter. Please email your comments and suggestions to: cupa@calepa.ca.gov.

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